

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

DENROY PALACIO,

08 CR 0435 (VM)

Defendant.

ORDER

VICTOR MARRERO, United States District Judge.

The Government (see attached letter) requests that time be excluded from Speedy Trial Act calculations from May 20, 2008 until the next scheduled conference on May 30, 2008. Defense counsel has not objected to this request.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
22 May 2008



Victor Marrero
U.S.D.J.

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May 20, 2008

BY FACSIMILE

The Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Pelacio, 08 Cr. 435 (VM)

Dear Judge Marrero:

This matter was assigned to Your Honor on Tuesday, May 12, 2008. An initial pretrial conference has been scheduled before Your Honor for Friday, May 30, 2008, at 3:00 p.m. The Government respectfully requests that the Court exclude time from today until May 30, 2008, pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(8)(A). The ends of justice served by such continuance outweigh the interest of the public and the defendant in a speedy trial because the continuance will allow the Government to produce discovery to the defendants and to begin discussions regarding a possible disposition of this case. Counsel for the defendant consent to this request for the exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

Bern

Benjamin A. Naftalis
Assistant United States Attorney
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cc: Paul McCallister, Esq.

SO ORDERED.

HONORABLE VICTOR MARRERO, U.S.D.J.